

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:)	
Tony A. James)	
Carolina T. James)	Chapter 13
)	
)	Case No. 16-00819
)	
Debtor(s),)	

DEBTORS' OBJECTION TO MOTION TO MODIFY STAY

COME NOW the Debtors and pursuant to Rule 4001 of the Local Rules of the United States Bankruptcy Court for the District of South Carolina hereby object to the relief requested in the motion to modify the stay filed herein by U.S. Bank N.A., as Trustee of the SCIG Series III Trust ("Movant"):

1. The debtors dispute the amount due the Movant as evidenced in the attached BSI Financial Services Mortgage Statement received by the debtors, dated December 19, 2019.
2. Even if Movant is entitled to relief from stay, the stay should not be terminated. The court should grant less drastic relief by conditioning or modifying the stay.
3. Movant has not shown the irreparable harm necessary to justify lifting the stay with respect to its foreclosure.
4. The subject property is the debtors' residence and therefore essential to the debtors' financial rehabilitation.
5. There exists a substantial "equity cushion" in the underlying real estate sufficient to adequately protect Movant's interest in the real estate.

6. Movant's Motion is barred by laches

Dated: January 22, 2020,

/s/Lee Ringler
LEE RINGLER
District Court ID#4796
Attorney for Debtor
Suite 200, 808 Greene Street
Augusta, GA 30901
Telephone: (706) 724-4000

CERTIFICATE OF SERVICE

I, Lee Ringler, counsel for the debtors, do hereby certify that I have served a copy of the above and foregoing Objection upon the moving creditor in said cause by mailing a true and correct copy thereof, together with a copy of the Debtors' Certification of Facts, with proper postage affixed, to its attorney of record, McMichael Taylor Gray, LLC, 6160 St. Andrews Road, Suite 2, Columbia, SC 29212.

This 22nd day of January, 2020,

/s/Lee Ringler
LEE RINGLER

10. Month and Year for which post-petition account of Debtor(s) is due as of the date of this motion: March 1, 2016

Date: January 22, 2020,

/s/Lee Ringler
LEE RINGLER
Attorney for Debtors
District Court I.D. No. 4796
Suite 200, 808 Greene Street
Augusta, GA 30901
Telephone: (706) 724-4000

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:) Case No. 16-00819-jw
Tony A. James)
Carolina T. James) Chapter 13
)
) CERTIFICATION OF FACTS
Debtor(s),)

In the above-entitled proceeding, in which relief is sought by Ditech Financial LLC ("Movant") from the automatic stay provided by 11 U.S.C. s362, I do hereby certify to the best of my knowledge the following:

1. Nature of Movant's Interest: Secured
2. Brief Description of Security Agreement, copy attached (if applicable):
Note and Mortgage
3. Description of Property Encumbered by Stay (include serial number, lot and block number, etc.): 420 Old Walnut Branch, North Augusta, SC 29841.
4. Basis for Relief (property not necessary for reorganization, debtor has no equity, property not property of estate, etc.; include applicable subsection of 11 U.S.C. s362): Alleged failure to make direct post-petition installment payments to movant.
5. Prior Adjudication by Other Courts, copy attached (Decree of Foreclosure, Order for Possession, Levy of Execution, etc., if applicable): None
6. Valuation of Property, copy of Valuation attached (Appraisal, Blue Book, etc.):

Fair Market Value	\$159,726.00
Liens (Movant's Lien)	\$ 22,517.95
Other Liens:	\$ 60,901.00
Exemption	\$ 58,225.00
Net Equity	\$ 18,082.05
Source/Basis of Value	Debtor's Schedules
7. Amount of Debtors Estimated Equity (using figures from paragraph 6, supra): \$18,082.05
8. Month and year in which first direct post-petition payment came due to Movant (if applicable): March 1, 2016
9. (b) For Objecting Party (if applicable): BSI Financial Services statement, dated December 19, 2019.